

**City of Miami Beach - City Commission Meeting  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
December 19, 2001**

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Mayor David Dermer  
Vice-Mayor Jose Smith  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner Luis R. Garcia, Jr.  
Commissioner Saul Gross  
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

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### ATTENTION ALL LOBBYISTS

**Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.**

### CONSENT AGENDA

PA1	Cert. of Apprec./(7) Teachers, Region II Teacher of the Year Award. (Bower)	1
PA2	Cert. of Apprec./C. Fernandez (Biscayne Elem.), Region II Principal of the Year Award. (Bower)	
PA3	Cert. of Apprec./(32) People, Help Complete the Collins Avenue Restoration Project. (Bower)	
PA4	Cert. of Apprec./Wendy Unger, Work w/ the Miami Beach Chamber of Commerce. (Bower)	
PA5	Cert. of Apprec./O. Canas, Work as the Executive Director of MB Community Health Ctr. (Dermer)	
PA6	<b>New Item:</b> Cert. of Apprec./(11) Participants, Refurbish WWII Statue -Feinberg/Fisher Elem.(Garcia)	
C2A	BA 29-00/01, Steel Operable ("Air") Walls Retrofit/Repair, \$234,000.	3
C4A	Ref: Finance & Citywide Projects Committee – Operation of Byron/Carlyle Parking Lot.	7
C7A	Execute Amendment, Provide Additional Services - Nautilus Neighborhood Streetscape Project.	9
C7B	Approve Order Tolling Deadline, Increase in Basic Service Tier Rate for Cable TV.	15
C7C	Issue RFP, Design Services for TOPA Stage Lighting/Sound & Video Monitoring System.	23
C7D	Submit Grant Application, Establish a Special Incident Response Unit.	29
C7E	Submit Grant Application, Acquire Property at 6000 Collins Avenue.	35
C7F	Submit Grant Application, Install Playground Safety Surfacing at Several MB Parks.	41
C7G	Amend FY 2001/02 1-Yr Action Plan for Federal Funds/Reallocate to Appropriate Uses.	47/ <b>SM</b>
C7H	Set Public Hrg, Parking Structures In Some Residential Zoning Districts - Commercial Uses.	55
C7I	Set Public Hrg, Comprehensive Plan Amendment - MR Land Use Element.	59
C7J	Set Public Hrg, Various Amendments to the Land Development Regulations.	63
C7K	Adopt 1 <sup>st</sup> Amendment to Police Confiscation Trust Fund Budget for FY 2001/02.	69
C7L	Accept Easement, Install/Maint./Construct/Repair Water Meters at 10 Venetian Way.	75

C7M	Set Public Hrg, Consider After-the-Fact Revocable Permit for 901 Lincoln Road.	85
R5A	<b>11:10 a.m. 2<sup>nd</sup> Rdg</b> , Amend Code, "Agencies, Brds & Committees" (Community Relations Brd).	91
R5B	<b>11:15 a.m. 2<sup>nd</sup> Rdg</b> , Amend No. 1335, Classified Employees' Leave Ordinance.	99
R5C	<b>11:20 a.m. 2<sup>nd</sup> Rdg</b> , Amend No. 1613, Unclassified Employees' Leave Ordinance.	107
R5D	<b>11:25 a.m. 2<sup>nd</sup> Rdg</b> , Amend Code, "City Pension Fund for Firefighters & Police Officers".	115
R5E	<b>11:30 a.m. 2<sup>nd</sup> Rdg</b> , Amend Code, Permit Domestic Partners/Children Obtain Health Benefits.	131
R5F	<b>11:35 a.m. 2<sup>nd</sup> Rdg</b> , Amend Code, Provide Health Insurance to Employees'/Domestic Partners.	141
R5G	<b>11:40 a.m. 2<sup>nd</sup> Rdg</b> , Amend Code, "Continuing Application for 2-Yrs After City Service". (Garcia)	147
R5H	<b>2:00 p.m. 2<sup>nd</sup> Rdg</b> , Estab. Interim Procedures, Demolition Permits (Homes Built -1941). <b>5/7</b>	151/ <b>SM</b>
R5I	<b>3:00 p.m. 2<sup>nd</sup> Rdg</b> , Establish Temp. Moratorium, Regulations of Parking Lots on Ocean Dr. <b>5/7</b>	157
R5J	<b>3:10 p.m. 2<sup>nd</sup> Rdg</b> , Amend Code, Provide Fees for Witnessing Tests by Elevator Inspectors.	163
R5K	<b>3:20 p.m. 2<sup>nd</sup> Rdg</b> , Amend Code, Allow City Manager to Approve Purchases of Commodities.	173
R5L	<b>1<sup>st</sup> Rdg</b> , Establish Procedures, Resolving Protested Bids and Proposed Awards. (Smith)	193
R5M	<b>1<sup>st</sup> Rdg</b> , Create Section in City Code, Prohibit Camping in Public Places.	201
R5N	<b>1<sup>st</sup> Rdg</b> , Amend Code, Total Nudity at Alcohol Beverage Establishments. (Cruz)	207
R5O	<b>1<sup>st</sup> Rdg</b> , Amend Code, "Discrimination in Public Services". (Steinberg)	213
R6A	Report: G.O. Bond Oversight Committee Meeting of December 3, 2001.	219
R6B	Verbal Report: Joint Fin. & CWP/Community Affairs Committee Mtg. of December 12, 2001.	221
R6C	Verbal Report: Land Use & Development Committee Meeting of December 17, 2001.	223
R7A	<b>10:30 a.m. Public Hrg</b> , Deny Amendment to Revocable Permit (Schindler) 5860 N. Bay Road.	225
R7B	<b>11:00 a.m. Public Hrg</b> , Grant Revocable Permit (Goldwater Realty VII) 1766 Bay Road.	239
R7C	Appropriate Series 2000 Water & Sewer Bond Funds, Rehabilitation of Sanitary Sewers.	274
R7D	<b>2:30 p.m.</b> Execute Lease Agmt, Docking Used Yachts/Vessels for Brokerage Yacht Show.	255
R7E	Receive City Attorney's Annual Report (Performance Review). (Dermer)	403
R9A	Board and Committee Appointments.	407
R9A1	Nominate Brian Kraus to the VCA. (Steinberg)	455
R9A2	Nominate Jeff Bechdel to the VCA. (Steinberg)	459
R9A3	Nominate Jorge Rodriguez-Chomat to the Board of Adjustment.	<b>A</b>
R9B1	<b>1:30 p.m.</b> Dr. Stanley Sutnick Citizen's Forum.	461
R9B2	<b>5:30 p.m.</b> Dr. Stanley Sutnick Citizen's Forum.	461
R9C	Disc. Allow MB Chamber Employees to Purchase Parking Permits at a 50% Discount. (Cruz)	463
R9D	<b>2:15 p.m.</b> Disc. City Pension Fund for Firefighters & Police Officers. (Garcia)	465
R9E	<b>4:15 p.m.</b> Disc. Reso: Resolve Polo Park Matter w/Dade County Public Schools. (Bower/Smith)	467
R9F	<b>3:45 p.m.</b> Disc. Traffic Problems on La Gorce/Pinetree. (Garcia)	471
R9G	Disc. Setting Up A Date For A Parking Workshop. (Dermer)	475
R9H	Disc. Increasing Residential Parking in South Beach. (Steinberg)	<b>A</b>

## **REPORTS AND INFORMATIONAL ITEMS**

A	City Attorney's Status Report.	477
B	Parking Status Report.	481
C	Status Report on Fire Station No. 2.	507
D	Status Report on Fire Station No. 4.	509
E	Report on All City Contracts for Renewal/Extension Exceeding \$25,000.	511
F	Status Report on Collins Park Cultural Center.	513

**REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.**

2A	Report of Itemized Revenues/Expenditures of RDA for October 31, 2001.	1
2B	Anchor Shops & Parking Garage – Monthly Report on Parking, October 2001.	3
3A	Consent to an Assignment of Lease, Suite “J” In the Anchor Shops at South Beach.	9

Call to Order - 9:12:21 a.m.

Inspirational Message given by Reverend Garth Thompson from the Miami Beach Community Church.

Pledge of Allegiance led by Stuart Blumberg.

Requests for Additions, Withdrawals, and Deferrals.

**PA - Presentations and Awards**

- PA1 Certificates Of Appreciation To Be Presented To Seven (7) Teachers Nominated For The Region II Teacher Of The Year Award.  
(Requested By Commissioner Matti Herrera Bower)

**ACTION:** Certificates of Appreciation presented.

- PA2 Certificate Of Appreciation To Be Presented To Principal Carlos E. Fernandez Of Biscayne Elementary, For Receiving Principal Of The Year Award In Region II.  
(Requested By Commissioner Matti Herrera Bower)

**ACTION:** Certificate of Appreciation presented.

Seven year old Alicia Rodriguez from Biscayne Elementary sang a song.

- PA3 Certificates Of Appreciation To Be Presented To (32) People Who Helped Complete The Collins Avenue Restoration Project.  
(Requested By Commissioner Matti Herrera Bower)

**ACTION:** Certificates of Appreciation presented.

- PA4 Certificate Of Appreciation To Be Presented To Wendy S. Unger, For Her Work With The Miami Beach Chamber Of Commerce.  
(Requested By Commissioner Matti Herrera Bower)

**ACTION:** Certificate of Appreciation presented.

- PA5 Certificate Of Appreciation To Be Presented To Oscar Canas, For His Work As The Executive Director Of The Miami Beach Community Health Service Center.  
(Requested By Mayor David Dermer)

**ACTION:** Not reached.

**New Item:**

- PA6 Certificates of Appreciation to be presented to Eleven (11) Participants, Refurbish WWII Statue-Feinberg/Fisher Elementary School.  
(Requested by Commissioner Garcia)

**ACTION:** Certificates of Appreciation presented.

Private First Class Lopez and Sergeant Quinonus presented the item.

Commissioner Garcia stated that Aubrey C. Willis was a homegrown hero and that every time there is a Veterans' celebration Mr. Willis should be recognized.

**9:46:43 a.m.**

**Emergency Item:**

Michael Kosnitzky, on behalf of the Orange Bowl Committee, requested \$25,000.

**ACTION:** Motion made by Commissioner Cruz to add this item, as an emergency item, to the Agenda; seconded by Commissioner Bower; Voice vote: 7-0.

**ACTION:** Motion made by Commissioner Cruz to approve funding in the amount of \$25,000 less the 25% hold back because of possible Resort Tax shortfalls for a total of \$18,750; seconded by Commissioner Bower; Voice vote: 5-2; Opposed: Commissioners Garcia and Gross. Patricia Walker to handle.

**CONSENT AGENDA**

**ACTION:** Motion made by Commissioner Bower to approve the Consent Agenda; seconded by Commissioner Cruz; Voice vote: 7-0.

**10:27:47 a.m.**

**Addendum item added (R9A3):** Motion made by Commissioner Bower to hear this item as an emergency item; seconded by Commissioner Garcia; Voice vote: 7-0.

Commissioner Steinberg stated that addendum item R9H could be discussed at the Parking Commission Workshop to be scheduled.

**C2 - Competitive Bid Reports**

C2A Request For Approval To Award A Contract To Florida Modernfold, Inc., In The Amount Of \$234,000, Pursuant To Invitation To Bid No. 29-00/01, For The Steel Operable ("Air") Walls Retrofit And Repair.  
(Convention Center)

**ACTION: Contract awarded.** Doug Tober to handle.

**C4 - Commission Committee Assignments**

- C4A Referral To The Finance And Citywide Projects Committee For Review And Recommendation Regarding The Use And Method Of Operation Of The Byron/Carlyle Parking Lot, Located On The Southeast Corner Of 71<sup>st</sup> Street And Byron Avenue.

(City Manager's Office)

**ACTION: Referred.** Patricia Walker to place on the Committee agenda.

**C7 - Resolutions**

- C7A A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Agreement Between The City And Reynolds, Smith & Hills, Inc., Pursuant To Request For Qualifications (RFQ) 7-00/01, To Provide Additional Professional Services Associated With The Area Known As Orchard Park, Within The Nautilus Neighborhood Streetscape Project, For A Fee Not To Exceed \$51,523; And Appropriating Said Fee, In the Amount Of \$24,028 From The Series 2000 General Obligation Bond Fund; \$16,610 From The Series 2000 Stormwater Revenue Bond Fund; And \$10,885 From The Series 2000 Water And Sewer Revenue Bond.

(Capital Improvement Projects)

**ACTION: Resolution No. 2001-24682 adopted.** Tim Hemstreet to handle.

- C7B A Resolution Approving The Issuance And Execution By The City Manager Of An Order Tolling Deadline And Accounting Order, Which Gives The City An Extension Of Time Within Which To Review Proposed Changes In The Maximum Permitted Rate For Cable Television Service Which Have Been Filed With The City By Charter Communications And Requires Certain Records To Be Kept In Connection Therewith; And Providing An Effective Date.

(City Manager's Office)

**ACTION: Resolution No. 2001-24683 adopted.** Lawrence Levy and R. Parcher to handle.

- C7C A Resolution Authorizing The Issuance Of Request For Proposals (RFP) For Professional Design Services For The Jackie Gleason Theater Stage Lighting, Sound System, And Lobby Video Monitoring System.

(Convention Center)

**ACTION: Resolution No. 2001-24684 adopted.** Gus Lopez to issue RFP.

- C7D A Resolution Authorizing The City Manager, Or His Designee, To Submit A Grant Application, In The Amount Of \$132,800, To Florida Department Of Health, Bureau Of Emergency Medical Services, For Funds Needed To Establish A Small Rapid Response Biohazard/Special Incident Response Unit, To Be Matched With \$249,200 Of City Funding, As Recommended In The Approved 1999 General Obligation Bond Program For The Purpose Of Purchasing Emergency Response Equipment; And To Appropriate The Funds, If Awarded.

(Grants Management)

**ACTION: Resolution No. 2001-24685 adopted.** Alexander Diaz, Patricia Walker and Chief Jordan to handle.

- C7E A Resolution Retroactively Authorizing The City Manager Or His Designee To Submit An Application For Grant Funds From The Safe Neighborhood Parks (SNP) Bond Pre-Agreement Land Acquisition Interest Earnings Program In The Amount Of \$1,000,000 For The Purpose Of Acquiring The Property Located At 6000 Collins Avenue, Miami Beach; Appropriating Said Funds And Authorizing The Mayor And City

Clerk To Execute All Necessary Documents Related To This Application.  
(Grants Management)

**ACTION: Resolution No. 2001-24686 adopted.** Judy Hoanshelt and Patricia Walker to handle.

- C7F A Resolution Retroactively Authorizing The City Manager Or His Designee To Submit An Application For Grant Funds From Miami-Dade County, For Funds Disbursed By The Florida Department Of Environmental Protection, Reimbursement Grant For Playground Surfacing, RFP No. 318.a, In An Amount Not To Exceed \$165,000, To Be Matched With \$161,730 Of City Funding, As Recommended In The Approved 1999 General Obligation Bond Program For The Purpose Of Installing Playground Safety Surfacing At Muss, Fairway, Normandy Isle, Ocean Beach, North Shore Open Space, North Shore, Flamingo And Tatum Parks; Further Appropriating The Grant, If Approved And Accepted By The City, And Accepting A Performance Bond, Or An Irrevocable Letter Of Credit, At The City Managers Discretion, From The Vendor (Parks Structures), In The Work Orders For Muss, Fairway, Normandy Isle, Ocean Beach, North Shore Open Space, North Shore, Flamingo And Tatum Parks As Included In The General Obligation Bond Program Renovation Projects; And Authorizing The Mayor And City Clerk To Execute All Necessary Documents Related To This Application.  
(Grants Management)

**ACTION: Resolution No. 2001-24687 adopted.** Judy Hoanshelt, Patricia Walker and Kevin Smith to handle.

**10:09:59 a.m.**

- C7G A Resolution Approving Substantive Amendments To The Fiscal Year 2001/2002 One Year Action Plan For Federal Funds By Reprogramming \$141,650 Fiscal Year 1998/1999 Community Development Block Grant (CDBG) Funds; \$22,559 Fiscal Year 1997/1998 CDBG Funds; \$300,000 Fiscal Year 2000/2001 CDBG Funds; \$35,000 Fiscal Year 2001/2002 CDBG Funds, And \$9,800 Emergency Shelter Grants (ESG) Funds; These Funds To Be Reallocated To The City Of Miami Beach Neighborhood Services Department And The Miami Beach Community Development Corporation As Described In The Body Of This Resolution; And Amending The Fiscal Year 2001/2002 One Year Action Plan For Federal Funds To Include \$35,250 In Program Income Received For The Home Investment Partnerships (HOME) Program; And Further Authorizing The Mayor And City Clerk To Execute An Amendment To The Agreements Between The City And 1) The Miami Beach Community Development Corporation; And 2) The Little Havana Activities And Nutrition Center To Extend The Expiration Date Of Said Agreements To September 30, 2002.

(Neighborhood Services)

**ACTION: Item separated for discussion by the City Manager. Resolution No. 2001-24688 adopted.** Motion made by Commissioner Bower; seconded by Vice-Mayor Smith; Voice vote: 7-0. Vivian Guzman and Miguell Del Campillo to handle.

City Clerk's note: Amended Resolution submitted via Supplemental Material Agenda.

**10:14:36 a.m.**

C7H Setting Of Public Hearing - Parking Structures In Some Residential Zoning Districts To Serve Commercial Uses

A Resolution Setting A Public Hearing To Consider Amending Chapter 130, "Off-Street Parking" Of The Code Of The City Of Miami Beach, Florida, By Amending Section 130-68, "Commercial And Non-Commercial Parking Garages"; To Include Provisions For Allowing Non-Residential Use Of Certain Parking Garages In RM-1 Districts, And Allowing Ground-Floor Commercial Uses Within Certain Parking Garages In RM-2 Districts.

(Planning Department)

**ACTION: Item separated for discussion by Commissioner Gross. Item referred and public hearing scheduled.** Motion made by Commissioner Gross to refer the item to the Land Use and Development Committee and to set the public hearing for January 9, 2002; seconded by Commissioner Bower; Voice vote: 7-0. R. Parcher to notice. Lilia Cardillo to place on the City Commission agenda. Jorge Gomez to place on the Committee agenda before the January 9 Commission meeting.

C7I Setting Of Public Hearing - Comprehensive Plan Amendment

A Resolution Setting A Public Hearing To Consider A Proposed Amendment Amending Part II: Goals, Objectives And Policies Of The City Of Miami Beach Year 2000 Comprehensive Plan, As Amended, By Clarifying The Standards Applicable To The Category Entitled "Marine Recreational" (MR), Amending Policy 1.2 Of Objective 1: Land Development Regulations Of The Future Land Use Element.

(Planning Department)

**ACTION: Item separated for discussion by Commissioner Bower. Resolution No. 2001-24689 adopted.** Motion made by Commissioner Cruz; seconded by Commissioner Bower; Voice vote 7-0. Public hearing scheduled for January 9, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

**10:19:54 a.m.**

- C7J Setting Of Public Hearing – Various Amendments To The Land Development Regulations  
A Resolution Setting A Public Hearing To Consider Proposed Amendments To The Land Development Regulations Of The City Code Including Amending Chapter 130, Off-Street Parking, Article II, District Requirements, Section 130-36, To Treat Off-Site Parking Requirements The Same For Local Historic Districts As For The Architectural District; Amending Chapter 118, "Administration And Review Procedures", Article II, Boards, Division 4, Historic Preservation Board, Section 118-563(I), "Review Procedure", To Make Historic Preservation Board Review Advisory To The City Commission For Certificates Of Appropriateness For Demolition For Properties Owned By The Miami Beach Redevelopment Agency; Amending Chapter 142, "Zoning Districts And Regulations", Article II, District Regulations, Division 12, "MR Marine Recreation District", Section 142-513, "Conditional Uses", To Allow For Conditional Uses In The MR District That May Be Provided By Other Provisions Of The Land Development Regulations; Chapter 138, "Signs", Article IV, "Temporary Signs", Section 138-132, "Business Signs", Subsection (D), To Allow Temporary Business Signs To Be Erected And Maintained Beyond The Permitted 30 Days When The City Manager Finds That Public Construction Has Resulted Or Would Result In Negative Impacts To A Business.  
(Planning Department)

**ACTION: Item separated for discussion by Commissioner Gross. Item referred and public hearing scheduled.** Motion made by Commissioner Gross to refer the item to the Land Use and Development Committee and to set the public hearing for January 9, 2002; seconded by Commissioner Bower; Voice vote: 5-2; Opposed: Commissioners Garcia and Steinberg. R. Parcher to notice. Lilia Cardillo to place on agenda. Jorge Gomez to place on the Committee agenda before the January 9 Commission meeting.

- C7K A Resolution Adopting The First Amendment To The Police Confiscation Trust Fund Budget For Fiscal Year 2001/02, In The Amount Of \$104,589, To Be Funded From The Proceeds Of State Confiscated Funds.  
(Police Department)

**ACTION: Resolution No. 2001-24690 adopted.** Patricia Walker and Chief De Lucca to handle.

- C7L A Resolution Accepting An Easement From Venetian Associates, A Florida General Partnership, As The Owners Of The Property Located At 10 Venetian Way, For The Installation, Maintenance, Construction And Repair Of Water Meters And Appurtenances On Said Portion Of The Above Mentioned Property.  
(Public Works)

**ACTION: Resolution No. 2001-24691 adopted.** Fred Beckmann to handle.



- C7M A Resolution Setting A Public Hearing On January 9, 2002, To Consider An After The Fact Revocable Permit Request By The Sterling Building Inc., As Owner Of The Property At 901 Lincoln Road, To Retain Nine (9) Uplight Lighting Fixtures Installed Within The Adjacent City Right-Of-Way.  
(Public Works)

**ACTION: Resolution No. 2001-24692 adopted.** Public hearing scheduled for January 9, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Fred Beckmann to handle.

### **End of Consent Agenda**

### **REGULAR AGENDA**

### **R5 - Ordinances**

**11:46:12 a.m.**

- R5A An Ordinance Amending Chapter 2 Of The Miami Beach City Code Entitled "Administration", By Amending Article III Thereof Entitled "Agencies, Boards, And Committees"; By Amending Division 18 Entitled "Community Relations Board"; By Amending Section 2-190.14 Entitled "Composition" By Amending The Membership Of The Board To Include Four Additional Voting Members; Providing For Repealer; Codification; Severability, And An Effective Date. **11:10 A.M. Second Reading, Public Hearing.**

(City Manager's Office)  
(First Reading On November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3334 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Ballot vote: 6-0. Absent Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. R. Parcher to update the Boards and Committee information. Vivian Guzman to handle.

City Clerk's Note: Seven (7) direct appointments. One by the Mayor and one (1) by each City Commissioner. Three (3) members shall be appointed by the City Manager. One (1) ex-officio member shall be appointed by the Miami-Dade Community Relations Board from its membership.

Handouts:

1. Notice of Ad in Miami Herald

**11:50:30 a.m.**

R5B An Ordinance Amending Ordinance No. 1335, The Classified Employees' Leave Ordinance, By Amending The Provisions For Accumulation And Payment Of Annual And Sick Leave Contingent Upon Collective Bargaining And Approval By The Bargaining Units Prior To Implementation For Employees In Classifications Governed By Union Contracts To The Extent Such Approval Is Necessary; Providing For A Repealer, Severability, Codification And An Effective Date. **11:15 A.M. Second Reading, Public Hearing.**

(Human Resources)  
(Continued From November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3335 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Mary Greenwood to handle.

**11:51:48 a.m.**

R5C An Ordinance Amending Ordinance No. 1613, The Unclassified Employees' Leave Ordinance, By Amending The Provisions For Accumulation And Payment Of Annual And Sick Leave; Providing For A Repealer, Severability, Codification And An Effective Date. **11:20 A.M. Second Reading, Public Hearing.**

(Human Resources)  
(Continued From November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3336 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Ballot vote: 6-0; Absent: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Mary Greenwood to handle.

**11:53:09 a.m.**

R5D An Ordinance Amending Miami Beach City Code Special Related Acts, Article IX, Entitled "City Pension Fund For Firefighters And Police Officers In The City Of Miami Beach", Section 62 Thereof Entitled "Definitions" To Provide A Definition Of "Domestic Partner", Amending Section 65 Thereof Entitled "Computation Of Creditable Service" By Creating A Subsection (d) For Purchase Of Additional Creditable Service For Previous Law Enforcement Experience, Amending Section 66 Thereof Entitled "Pension System For Disability And Retirement Of Members Of Police And Fire Departments" By Creating A Subsection (j) For Purchase Of Up To An Additional Six Percent (6%) Benefit Multiplier, Amending Sections 68, 69, 70 (a), And 85 Thereof To Designate Domestic Partners As Potential Recipients Of Survivor Benefits Under The Pension Plan; Providing A Repealer Clause; Providing A Severability Clause; Codification; Providing An Effective Date. **11:25 A.M. Second Reading, Public Hearing.**

(Human Resources)  
(First Reading On November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3337 adopted.** Motion made by Commissioner Bower; seconded by Vice-Mayor Smith; Ballot vote: 6-0; Absent: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Mary Greenwood to handle.

**Handouts:**

1. Notice of Ad in Miami Herald

**11:54:48 a.m.**

R5E An Ordinance Amending Miami Beach City Code Chapter 78, Article II Thereof, Entitled "Employees' Benefit Plan", Section 78-31 Thereof Entitled "Definitions" By Defining "Domestic Partner", Amending Section 78-34 Entitled "Agreements Of Members" To Permit Domestic Partners And Their Children To Obtain Health Benefits, Amending Sections 78-81 Entitled "Group Health Insurance", Subsection (e) And 78-82 Entitled "Health Maintenance Organizations (HMO)" Subsection (e) To Include Domestic Partners

For Inclusion Within These Sections; Providing For A Repealer; Severability; Codification; And An Effective Date. **11:30 A.M. Second Reading, Public Hearing**

(Human Resources)

(First Reading On November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3338 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Patricia Hipple to handle.

Handouts:

1. Notice of Ad in Miami Herald

**11:56:13 a.m.**

R5F An Ordinance Amending Miami Beach City Code Chapter 62, Article III, Entitled "Domestic Partnership", Section 62-128 Thereof Entitled "Employee Benefits" To Provide Health Insurance Benefits To City Of Miami Beach Employees' For Their Domestic Partners; Providing For Repealer; Severability; Codification; And An Effective Date. **11:35 A.M. Second Reading, Public Hearing**

(Human Resources)

(First Reading On November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3339 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Patricia Hipple to handle.

Handouts:

1. Notice of Ad in Miami Herald

**11:57:13 a.m.**

R5G An Ordinance Amending Miami Beach City Code Chapter 2 "Administration", Division 2 Thereof By Creating Section 2-460 Entitled "Continuing Application For Two Years After City Service", Prohibiting Certain Post-Employment Activity Of City Officers Or Employees For A Period Of Two Years After Leaving City Employment; Providing For Repealer, Severability, Codification, And Effective Date. **11:40 A.M. Second Reading, Public Hearing.**

(Requested By Commissioner Luis R. Garcia, Jr.)  
(First Reading On November 28, 2001)

**ACTION: Public Hearing opened and continued to January 9, 2002 at 2:30 p.m.** Motion made by Commissioner Bower to open and continue the public hearing; seconded by Vice-Mayor Smith; Voice vote: 6-0; Absent: Commissioner Cruz. Lilia Cardillo to place on the agenda. Assistant City Manager, Mayra Diaz Buttacavoli and Legal Department to handle.

Commissioner Garcia stated that when the County adopted the ethics ordinance it left out language about going to work for another company that provides work and/or services to the County.

Commissioner Steinberg asked the Legal Department to try to get from the County the language which was eliminated from the County Code.

Handouts:

1. Notice of Ad in Miami Herald

**1:59:29 p.m.**

R5H An Ordinance Establishing ~~A Temporary Moratorium On~~ Interim Procedures For The Issuance Of Demolition Permits For Single Family Homes Constructed Through 1950 1940 1941 And Located Outside A Designated Historic District, Except Following The Issuance Of A Certificate Of Appropriateness; Providing Interim Procedures For The Review And Approval By The Historic Preservation Board Or Staff, Where Appropriate, Of Applications For Certificates Of Appropriateness For The Demolition Of Such Homes; Providing That The ~~Moratorium~~ Interim Procedures Shall Automatically Dissolve Upon The Earlier Of ~~June 8~~ March 29, 2002, Or Upon The Adoption Of Amendments To The Miami Beach City Code Relating To The Demolition Of Single Family Homes; Providing For Severability And An Effective Date. **2:00 P.M. Second Reading, Public Hearing**

(Planning Department)  
(Continued From November 28, 2001)  
**(Ordinance To Be Submitted)**

**ACTION: Public Hearing held. Ordinance Number 2001-3340 adopted as amended.** Motion made by Commissioner Bower to adopt the ordinance recommended by the Land Use and Development Committee; seconded by Commissioner Gross; Ballot vote: 7-0. Jorge Gomez to handle.

Commissioner Cruz asked the City Manager for solutions to make the process smoother. Jorge Gonzalez, City Manager, stated that the criteria needs to be developed first before it is brought back for final disposition. In the interim period, review will be handled in the Planning Department and not in the Building Department. It will be a simple and expedited review.

Commissioner Steinberg stated that there is a loophole because of the 50% rule and renovations. He stated that the loophole needs to be closed before the ordinance is adopted.

**Amendment 1:** Commissioner Steinberg requested to delete "business" from Section 1 (a) "the Planning Department within seven (7) business days of its submission". Amendment accepted by Commissioner Bower. (See Amendment 3 below).

**Amendment 2:** Commissioner Garcia requested to place the final ordinance relating to the demolition

of single family homes on a Commission Agenda not later than March 20, 2002. Amendment accepted by Commissioner Bower.

**Amendment 3:** Commissioner Steinberg amended his amendment (Amendment 1) by inserting the word "business" in Section 1 (a) and changing the seven (7) days to five (5) business days. Amendment accepted by Commissioner Bower.

**Motion:**

In a separate motion not tied to the ordinance, Commissioner Cruz requested that the Administration be directed to establish criteria for new homes being built; seconded by Commissioner Steinberg; Voice vote: 7-0. **Jorge Gomez to handle.**

The City Commission requested that the Administration explore tax credits for properties designated as historic. **Jorge Gomez to handle.**

**Handouts:**

1. Proposal submitted by Suzanne Ritus, 4175 Alton Road, Miami Beach, Florida.
2. Unsigned letter to Honorable David Dermer and Members of the City Commission, dated December 18, 2001, from Neisen Kasdin, RE: Historic Homes.
3. Unsigned letter to Mayor and Commissioners, not dated, from Dennis W. Wilhelm.
4. Article, unknown origin, titled: "A Hand from the State."
5. Speakers' list.
6. Letter to Mayor Dermer and the Commission, dated December 19, 2001, from Rosemary Hansford, 5632 La Gorce.
7. Document submitted by Gary Held for the record titled: "Demolition Permits Issued For Single Family Residences October 1, 1999 to November 26, 2001."

**4:14:48 p.m.**

R5I An Ordinance Establishing A Temporary Moratorium On The Enforcement Of Certain Regulations Pertaining To The Operation Of Parking Lots On Ocean Drive To Allow Parking Lots To Operate As Provisional Parking Lots And Under The Same Conditions Provided Under A Conditional Use Permit If Said Lots Operated, At Any Time From January 1, 1999 To The Present, As A Permitted Provisional Lot With Conditional Use Approval; The Moratorium Shall Automatically Dissolve Upon The Earlier Of May 1, 2002 Or Upon The Adoption Of Amendments To The Miami Beach City Code Relating To Parking Lots On Ocean Drive. **3:00 P.M. Second Reading, Public Hearing**

(City Manager's Office)

(First Reading, Public Hearing On November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3341 adopted.** Motion made by Commissioner Cruz; seconded by Commissioner Bower; Ballot vote: 7-0. Jorge Gomez and Al Childress to handle.

## Handouts:

1. Notice of Ad in Miami Herald

City Clerk's Note: Public Hearing scheduled for the April 10 Commission Meeting

**4:16:52 p.m.**

R5J An Ordinance Amending Chapter 14 Of The Miami Beach City Code By Amending Division 2 Thereof Entitled "Permit Fees", By Amending Section 14-65 Thereof Entitled "Mechanical Permits", By Amending Appendix A To Section 14-65 Entitled "Fee Schedule" To Provide For Fees For The Witnessing Of Periodic Inspections And Acceptance Tests By An Elevator Inspector Employed By The City Of Miami Beach Once Every Year And Once Every 5 Years; Providing For Repealer, Severability, Codification, And An Effective Date. **3:10 P.M. Second Reading, Public Hearing**

(Building Department)

(First Reading On November 28, 2001)

**ACTION: Public Hearing held. Ordinance Number 2001-3342 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Ballot vote: 6-1; Opposed: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Phil Azan to handle.

**4:25:46 p.m.**

R5K An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach Entitled "Administration"; Amending Article VI Thereof Entitled "Procurement"; Amending Division 1 Thereof Entitled "Generally"; By Amending Sections 2-311, 2-312, And 2-313; Amending Division 2 Entitled "Procurement Director"; By Amending Sections 2-338, And 2-341; Also Amending Division 3 Entitled "Contract Procedures"; By Amending Sections 2-366, 2-367, And 2-369; Said Amendments, Respectively, 1) Revising And Clarifying The Definitions Of "Contractual Services" And "Commodities", And 2) Allowing The City Manager Authority To Approve Purchases Of Commodities And Certain Contractual Services Under Contracts Awarded By Other Municipalities In The State; Providing For Repealer, Severability, And An Effective Date. **3:20 P.M. Second Reading, Public Hearing.**

(Procurement)

(First Reading On November 28, 2001)

**ACTION:** Raul Aguila, First Assistant City Attorney, stated that because of definition changes requested at the first reading of this ordinance relating to contractual service, changes were needed to sections of the City Code which were not noticed, therefore this item should be considered first reading.

**Item referred to the Finance and Citywide Projects Committee.**

Motion made by Commissioner Bower to refer the item; seconded by Commissioner Garcia. Discussion continued.

**Amendment** made by Commissioner Steinberg to add: "**where the proposal purchase does not exceed the quantity or dollar amount of the municipal contract in question unless waived by the City Commission.**" Discussion continued.

Commissioner Garcia withdrew his second to the motion.

Commissioner Steinberg seconded the amended motion. (Vote on the motion to refer with the amendment); Voice vote 7-0. Patricia Walker to place on the Committee agenda. **Gus Lopez to handle.**

City Clerk's Note: At the Afteraction meeting the City Manager administratively withdrew this item.

**4:48:07 p.m.**

R5L An Ordinance Establishing Procedures For Resolving Bids (BIDS), Request For Proposals (RFP's), Request For Qualifications (RFQ's), Request For Letters Of Interest (RFLI's), And Purchase Orders Based On Written Or Oral Quotations, By Amending Chapter 2 Of The Code Of The City Of Miami Beach Entitled "Administration", By Amending Article VI Thereof Entitled "Procurement", By Creating Section 2-371 Entitled "Authority To Resolve Protested Bids And Proposed Awards"; Providing For Severability; Providing For Codification; And Providing For An Effective Date. **First Reading.**  
(Requested By Vice-Mayor Jose Smith)

**ACTION:** Discussion held. **Ordinance approved on first reading as amended.** Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Ballot vote: 7-0. Second Reading and Public Hearing scheduled for January 9, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Gus Lopez to handle.

Amendments: Page numbers reference to the Commission Agenda book.

Page 197 (2) in the first line after the word "opening" insert:  
"including challenges to actions of an evaluation committee as provided in subsection (a) above."

Page 198 (e) strike out:  
"The determination of the City Manager and the City Attorney with regard to all procedural and technical matters shall be final."

Page 199 add a new subsection (l) to read:  
"(l) The determination of the City Manager and the City Attorney with regard to all procedural and technical matters shall be final."



**4:51:53 p.m.**

R5M An Ordinance Creating Miami Beach City Code Section 70-45, Entitled "Camping Prohibited" On Miami Beach City Code Chapter 70, Entitled "Offenses - Miscellaneous"; Providing For Definitions; Prohibiting Camping In Public Places Located Within The City; Providing For Enforcement; Providing For Penalties; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading.**  
(Neighborhood Services)

**ACTION:** Discussion held. **Item referred to the City Commission Workshop on the homeless scheduled for January 7, 2002 at 2:00 p.m.** Motion made by Commissioner Gross and Bower to refer to the Workshop; seconded by Commissioner Steinberg; Voice vote: 7-0. Vivian Guzman to handle.

Mayor Dermer requested on the constitutional analysis of the issues to prepare a synthesized analysis and give a practical sense of what the City can or cannot legally do. On the legal analysis look at other cities and find out what has been successful and not successful for them. The legal analysis and research should include how other cities and states are handling this issue. This information needs to be available for the City Commission Workshop on the homeless issues. He stated that this is one of the biggest problems the City is facing and the City Commission needs to go further on the edge of testing these issues. Legal Department to handle.

Commission Cruz stated that we need to worry about the welfare of Miami Beach residents and its tourists; he added that this issue has become a crisis and that the City must get a handle on this, even if we need to "push-the-envelope," because it is becoming an epidemic.

Vice-Mayor Smith stated that this is probably the number one complaint heard from residents. He requested that the Legal Department give the Commission some legal tools to work with.

**10:33:16 a.m.**

R5N An Ordinance Amending Chapter 6 Of The Miami Beach City Code Entitled "Alcoholic Beverages", By Amending Section 6-40 Thereof Entitled "Total Nudity And Sexual Conduct Prohibited", By Adding Subsection (C) To Provide That Alcoholic Beverage Establishments Permitting Total Nudity, Which Are In Operation On October 1, 2001 Under A Current Adult Entertainment Occupational License, Which Obtains An Alcoholic Beverage License For Its Business No Later Than April 1, 2002, Shall Be Exempt From The Provisions Prohibiting Total Nudity At Alcoholic Beverage Establishments Under Section 6-40; Providing For Repealer, Severability, Codification, And Effective Date. **First Reading.**  
(Requested By Commissioner Simon Cruz)

**ACTION: Ordinance approved on first reading as amended.** Motion made by Commissioner Garcia to approve the ordinance on first reading; seconded by Commissioner Cruz; Ballot vote: 5-2; Opposed: Vice-Mayor Smith and Commissioner Bower; Second Reading and Public Hearing scheduled for January 30, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission agenda. Jorge Gomez to place on the committee agenda. Vivian Guzman and Patricia Walker to handle.

Commissioner Steinberg made the disclosure that his firm is in litigation with this business and the City Attorney opined that this is not a conflict.

Commissioner Gross stated that the timeframes in Section 1 ( c ) should be removed. Mr. Cy Chadroff stated that the dates can be removed.

Commissioner Cruz amended the motion to remove the dates. Commissioner Garcia accepted the amendment.

Murray Dubbin, City Attorney, explained that for clarification the State Statute contains a provision for waiver of the 2,500 foot limitation by following the same procedure you would follow if you were adopting an amendment to the zoning map.

There was an issue raised as to whether the item should be sent to the Planning Board. Mayor Dermer requested to send the item to the Planning Board between the first reading and second reading and schedule the second reading for January 30, 2002. **Jorge Gomez to handle.**

Harold Rosen stated that the rules are not being enforced at a similar establishment located down the street. **Al Childress to handle.**

**5:09:09 p.m.**

R50 An Ordinance Amending The Miami Beach City Code Chapter 62, Article II Thereof, Entitled "Discrimination" By Amending Section 62-31 Entitled "Definitions", Amending Section 62-32 Thereof Entitled "Purpose; Declaration Of Policy", Amending Sec. 62-58 Entitled "Filing Time Limit" By Eliminating A Filing Fee, Amending Section 62-63 Entitled "Processing Complaints", Amending Section 62-65 Entitled "Proceeding Before Special Master" By Clarifying The Description Of Interested Parties, Increasing Potential Fines, Adding Criteria, And Allowing For Reduction, And Adding A New Section 62-88.1 Entitled "Discrimination In Public Services"; Providing For Repealer; Codification; Severability; And An Effective Date. **First Reading.**

(Requested By Commissioner Richard L. Steinberg)

**ACTION:** Discussion held. **Ordinance approved on first reading.** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Ballot vote: 6-1; Opposed: Commissioner Gross. Second Reading and Public Hearing scheduled for January 9, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Legal Department to handle.

### **R6 - Commission Committee Reports**

R6A Report Of The General Obligation Bond Oversight Committee Meeting Of December 3, 2001: **1)** Discussion: Bay Link Study; **2)** Projects Status Report: Updated Calendar Of Scheduled Community Design Workshops; **3)** Recommendation To Appropriate Funds: (a) Normandy Isle Park And Pool Construction Appropriations; (b) Nautilus Neighborhood Reynolds, Smith & Hill A/E Contract Amendment; And (c) West Avenue/Bay Road Neighborhood Glatting Jackson A/E Contract Amendment; **4)** Informational Items: (a) Normandy Isle/Normandy Sud Community Design Workshop #1; (b) Oceanfront Community Design Workshop #1; (c) West Avenue/Bay Road Community Design Workshop #1; (d) Star, Palm, And Hibiscus Islands Enhancement Community Design Workshop #2, And (e) Venetian Causeway Master Plan Phase I, Venetian Islands Community Design Workshop #1.

**ACTION: Item not reached.** Lilia Cardillo to place on January 9 Consent Agenda.

R6B Verbal Report Of The Joint Finance & Citywide Projects And Community Affairs Committee Meeting Of December 12, 2001: **1)** Discussion And Direction Of The Proposed Guidelines Establishing Rental Fee Waivers Requested By Qualified Groups, Organizations Or Other Users Of The Miami Beach Parks And Recreation Department's Parks And Recreation Facilities (Joint Item); **2)** Discussion Regarding Espanola Way Sidewalk Café, Parking And Road Impact Fees; **3)** Capital Improvement Program Status Report On Active Projects; And **4)** Discussion Regarding An Ordinance Amending Miami Beach City Code Chapter 102 Entitled "Taxation" By Creating Article VI Thereof Entitled "Historic Property - Ad Valorem Tax Benefits", Sections 102-386 Through And Including Section 102-391, Authorizing Ad Valorem Tax Exemptions For Historic Properties; Providing For Severability; Codification; Repealer; And An Effective Date.

**ACTION: Item not reached.** Lilia Cardillo to place on January 9 Consent Agenda.

Handout:

1. Report of the Joint Finance & Citywide Projects and Community Affairs Committee Meeting Held on December 12, 2001

**5:19:38 p.m.**

R6C Verbal Report Of The Land Use And Development Committee Meeting Of December 17, 2001: **1)** Victory Garden; **2)** Street Performers And Non-Profit Vendors; **3)** Fee Structure For Street Performers And Vendors; And **4)** Single Family Demolition Interim Procedures.

**ACTION:** Verbal report given by Commissioner Garcia and Jorge Gomez. **Jorge Gomez to prepare a written report.**

### **R7 - Resolutions**

**11:06:09 a.m.**

R7A A Resolution Denying The Amendment Of The Revocable Permit Issued To Roger J. Schindler And Leslie Schindler For The Construction Of A Wrought Iron Fence And Automatic Gate In The City Right-Of-Way At West 59th Street And North Bay Road Adjacent To Their Property Located At 5860 North Bay Road, To Allow Them To Build A Solid Wooden Frame Wall With Stucco Finish And Install Aluminum Louver Gates. **10:30 A.M. Public Hearing.**

(Public Works)

**ACTION: Public Hearing held. Resolution No. 2001-24693 adopted as amended.** Motion made by Commissioner Steinberg to 1) Deny the amendment, 2) Prepare a resolution for the January 9 Commission Meeting to revoke the current permit, and 3) Directed Administration to pursue with both landowners a process in which they can purchase the land; seconded by Commissioner Bower; (see vote below).

Discussion continued.

**Amendment:** Commissioner Gross requested that the Administration inventory all streetends that do not have waterfront access, starting with North Bay Road, and to prepare a general policy on how to handle. Once the inventory and policy are completed, they are referred to the Land Use and Development Committee for review. Commissioner Steinberg accepted the amendment. Jorge Gomez to place on the Committee agenda. Fred Beckmann to handle.

Vote on the motion and amendment: Voice vote: 6-0; Absent: Commissioner Cruz.

During the discussion the City Manager stated he did not believe that everything could be accomplished by the January 9 Commission meeting. The Commission requested to bring it back when it is ready. The City Manager also stated that a CIP Workshop is being scheduled and streetends will be one of the subjects.

Handout:

1. Letter to Mayor David Dermer, Miami Beach City Commission, and Murray Dubbin, dated December 7, 2001, RE: Revocable Permit, 5860 North Bay Road.
2. Blueprint aerial photograph of Mr. Schindler's property and the City's property.
3. Letter to Honorable David Dermer and Members of the City Commission from Thomas Harris, dated December 13, 2001, RE: Amendment of Revocable Permit: Roger and Leslie Schindler 5860 North Bay Road, Miami Beach, Florida.
4. Letter to Honorable David Dermer and Members of the City Commission from Ames W. Moore, RE: Amendment of Revocable Permit: Roger and Leslie Schindler 5860 North Bay Road, Miami Beach, Florida.
5. Notice of Ad in Miami Herald

**11:44:23 a.m.**

R7B A Resolution Granting A Revocable Permit To Goldwater Realty VII, Inc., As Owner Of The Property Located At 1766 Bay Road, For The Construction Of A Handicap Ramp, Concrete Steps, Walkway And Railings On The Adjacent City Right-Of-Way. **11:00 A.M. Public Hearing.**

(Public Works)

**ACTION: Public Hearing held. Resolution No. 2001-24694 adopted.** Motion made by Commissioner Garcia; seconded by Commissioner Steinberg; Voice vote: 6-0; Absent: Commissioner Cruz. Fred Beckmann to handle.

## Handouts:

1. Notice of Ad in Miami Herald

**1:57:22 p.m.**

R7C A Resolution Appropriating \$5,288,934 From The Series 2000 Water And Sewer Bond Fund No. 424, And Authorizing The Award Of A Contract To Azurix North America Underground Infrastructure, Inc.; In The Amount Of \$5,288,934, As The Lowest Responsive And Best Bidder Pursuant To Bid No. 36-00/01 For The Rehabilitation Of Sanitary Sewers.

(Public Works)

**ACTION: Resolution No. 2001-24695 adopted** Motion made by Commissioner Bower; seconded by Commissioner Gross; Voice vote: 5-0; Absent: Commissioners Cruz and Garcia. Patricia Walker to appropriate the funds. Fred Beckmann to handle.

## Handout:

1. Letter from H. Douglas Thomas, Area Vice-President Insituform Technologies, dated December 12, 2001, to Jorge Gonzalez, RE: Rehabilitation of Sanitary Sewers Invitation to Bid No: 36-00/01
2. Letter from Jorge Gonzalez, City Manager, to Mr. H. Douglas Thomas, Area Vice President, Insituform Technologies, dated December 18, 2001, RE: Invitation to Bid No. 36-0/01 -- Rehabilitation of Sanitary Sewers

**3:49:26 p.m.**

R7D A Resolution Authorizing The Mayor And City Clerk To Execute A Short-Term Lease Agreement With Yachting Promotions, Inc., For The Use Of The Out-Lots And Approximately 600 Feet Along The Seawall On Indian Creek Out-Lot #7 Amended Plat Of Indian Beach Corporation's Sub (8-61), Which Is Directly Across From Municipal Parking Area #19-X, At 46th Street And Collins Avenue, For The Purpose Of Docking And Mooring Used Yachts And Other Used Vessels For The 2002 Brokerage Yacht Show, For The Period Of January 25 Through February 25, 2002.  
(Economic Development)

**ACTION: Resolution No. 2001-24696 adopted.** Motion made by Vice-Mayor Smith; seconded by Commissioner Steinberg; Voice vote: 7-0. Christina Cuervo and Joe Damien to handle.

Commissioner Steinberg stated that last year the 9:00 a.m. timeframe was not obeyed and requested that this year the time be obeyed, and further requested that the time be changed from 9:00 a.m. to 9:15 or 9:20 a.m. Mr. Dana Graziano, VP Yachting Promotions, Inc., stated that the move-in schedule has already been developed and he believes the move-in schedule is either 9:15 a.m. or 9:30 a.m. He stated he would get a copy of the schedule to the Commission.

Commissioner Gross suggested that the City should have a meeting with the neighbors at Collins Avenue prior to the Boat Show so that they can have input in the process. Joe Damien to handle.

**5:25:18 p.m.**

R7E A Resolution Relating To The City Attorney; Receiving The City Attorney's Annual Report; Finding His Performance To Be Satisfactory And Approving The Award Of Deferred Compensation Pursuant To The Internal Revenue Code, And Setting An Effective Date.

(Requested By Mayor David Dermer)

**(Annual Report Submitted Under Separate Cover)**

**ACTION: Resolution No. 2001-24697 adopted.** Motion made by Vice-Mayor Smith; seconded by Commissioner Steinberg; Voice vote: 7-0. Patricia Walker to handle.

Commissioner Bower stated that the report is not very detailed and she would like more statistical information, such as how many cases per year and how many cases went to outside counsel, etc. This will help her understand the Legal Department better.

Commissioner Gross wanted to know what mechanism is in place to review the City Attorney's Office.

Vice-Mayor Smith stated that in the future the Oversight Committee should review this issue, the award of Deferred Compensation, prior to being presented before the City Commission.

Murray Dubbin explained that there are two instruments in place to review the City Attorney's Office. One is the Oversight Committee, which reviews all proposed increases in salary during the budget period, provides help with procedural problems and administers advise to the office. The other instrument is the Budget Office, which offers the same budget requirements for the City Attorney's Office as they do for any other City departments.

Commissioner Cruz recommended Commissioner Bower to the Oversight Committee.

Handout:

1. Booklet and transmittal letter of the Annual Review and Evaluation of the Performance of the City Attorney

## **R9 - New Business and Commission Requests**

**5:34:03 p.m.**

R9A Board And Committee Appointments.

Nominations:

**1) Design Review Board:**

Citizen-At-Large: Gustavo De Dezendegui, Rony Curvelo, And Carl Myers;

Registered Landscape Architect: Emilio Fuster And Manita Brug-Chmielenska

**2) Visitors And Convention Authority:** Leslie Siegel And Orlando Velazquez  
(City Clerk's Office)

**5:34:06 p.m.**

**Board of Adjustment:**

Joy Alschuler Malakoff	Financial Consultant	term expires 12/31/2002	City Commission
Scott Mitchell	Lawyer	term expires 12/31/2002	City Commission
Theodore Berman	Engineer	term expires 12/31/2002	City Commission
Neli Santamarina	Real Estate Development	term expires 12/31/2002	City Commission

Discussion held. Mayor Dermer suggested bringing this item back to the Commission at a later time in order to make direct appointments, perhaps increasing the number of members from five to seven on boards that require 5/7 votes. He also suggested bringing direct appointments to these boards by ordinance that would take two readings or by an ordinance requiring 4/7 votes.

Handout:

1. Board of Adjustment ballots for vote #1, #2, #3, #4, and #5

**6:08 p.m.**

**Design Review Board:**

Gustavo de Dezendegui	At Large	term expires 12/31/2002	City Commission
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**ACTION:** After four (4) cycles of voting in the at-large category with Gustavo de Dezendegui receiving four (4) votes and Rony Curvelo receiving three (3) votes, Commissioner Steinberg made a motion to appoint Gustavo de Dezendegui; seconded by Commissioner Cruz; Voice vote: 7-0.

**ACTION:** For the other At-Large position, one (1) cycle of votes was done with Rony Curvelo receiving three (3) votes, Colleen Martin receiving two (2) votes and Don Worth receiving two (2) votes. Commissioner Steinberg made a motion to appoint Rony Curvelo; no second offered.

Handout:

1. Design Review Board ballots for (At Large position) vote #1, #2, #3, #4, and #5

**6:22 p.m.**

**Visitor and Convention Authority:**

Orlando Velazquez	term expires 12/31/03	(At-Large) appointed by City Commission
Edith Malnik	term expires 12/31/02	(At-Large) appointed by City Commission

Handout:

1. VCA ballots for (At Large position) vote #1, #2, and #3

**Beautification Committee:**

Claire Tomlin	term expires 12/31/2003	appointed by Commissioner Gross
Elizabeth Resnick	term expires 12/31/2003	appointed by Commissioner Bower

**Fine Arts Board:**

Dana Eber	term expires 12/31/2003	appointed by Commissioner Steinberg
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**Committee on the Homeless:**

Marjorie York                      term expires 12/31/2003                      appointed by Commissioner Bower

**Debarment Committee:**

Omar Martinez	term expires 12/31/2003	appointed by Commissioner Bower
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**Miami Beach Commission on the Status of Women:**

Donna Bloom	term expires 12/31/2003	appointed by Commissioner Bower
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Leslie Graff	term expires 12/31/2003	appointed by Commissioner Bower
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Lizette Lopez	term expires 12/31/2003	appointed by Commissioner Bower
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**North Beach Youth Center Oversight Committee:**

Margarita Cepeda	term expires 12/31/2002	appointed by Commissioner Bower
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**Police Citizens Relations Committee:**

Sidney Goldin	term expires 12/31/2003	appointed by Commissioner Bower
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Julian Linares	term expires 12/31/2003	appointed by Commissioner Cruz
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**Production Industry Council:**

Lisa Cole                      term expires 12/31/2002                      appointed by Commissioner Gross

Totty Saizarbitoria	term expires 12/31/2003	appointed by Commissioner Smith
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## Golf Advisory Committee

Daniel Spring      term expires 12/31/2003      appointed by Commissioner Gross

Lee Teichner	term expires 12/31/2003	appointed by Commissioner Smith
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## Transportation and Parking Committee

Jay Scharer	term expires 12/31/2003	appointed by Commissioner Cruz
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## Committee for Quality Education in Miami Beach

Jodie Knofsky	term expires 12/31/2002	appointed by Commissioner Gross
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### Florida Sister Cities:

Aliza Brenner - Ramat-Gan, Israel	term expires 12/31/03	appointed by Mayor Dermer
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Armando Hernandez - Cozumel, Mexico term expires 12/31/03 appointed by Mayor Dermer

Bruce Singer - Fujisawa, Japan	term expires 12/31/03	appointed by Mayor Dermer
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Trace Singer - Fujisawa, Japan	term expires 12/31/03	appointed by Mayor Demko
Claire Tomlin - At-Large	term expires 12/31/03	appointed by Mayor Dermer

Ed Boen - Rio de Janeiro, Brazil	term expires 12/31/03	appointed by Mayor Dermer
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Ed Boen - Rio de Janeiro, Brazil	term expires 12/31/03	appointed by Mayor Dermer
John Gale - Pescara, Italy	term expires 12/31/03	appointed by Mayor Dermer

term expires 12/31/03	appointed by Mayor Dermer
term expires 12/31/03	appointed by Mayor Dermer

R9A1 Discussion Regarding The Nomination Of Brian Kraus To The Visitors And Convention Authority (VCA).  
(Requested By Commissioner Richard L. Steinberg)

**ACTION:** No action necessary. See R9A.

R9A2 Discussion Regarding The Nomination Of Jeff Bechdel To The Visitors And Convention Authority (VCA).

(Requested By Commissioner Richard L. Steinberg)

**ACTION:** No action necessary. See R9A.

**Item added via Addendum.**

R9A3 Discussion Regarding Nomination of Jorge Rodriguez-Chomat To The Board Of Adjustment.  
(Requested by Commissioner Richard L. Steinberg)

**ACTION: No action necessary. See R9A.**

**1:31:29 p.m.**

R9B(1) Dr. Stanley Sutnick Citizen's Forum (1:30 p.m.)

**ACTION:**

**1. Gil Zriny.** He requested to be allowed to speak on item R9C. Regarding item C7J he stated that this might be a good time, since Murray Dubbin was instrumental in the forming of the RDA, to get in layman's terms, a history of the lawsuit and its ruling. Regarding the parking lot on Marine Recreational land, he stated that if RDA are real estate taxes and are funding another parking lot, he would like to know in writing if it is legal to use RDA money over and over again.

**2. Robin Strauss Furlong.** She is a concerned pediatrician practicing in Bal Harbor who spoke on behalf of the pediatricians of Miami Beach. Mount Sinai Hospital is having severe economic problems, and as a result the new Administration is closing the pediatric unit. This is a community issue since there are almost 14,800 children in Miami Beach. By Mt. Sinai closing the floor, the message sent to the community is that there is no place for children requiring medical attention to go to in Miami Beach. She requested that the Commission get involved to try to maintain the pediatric floor open.

Commissioner Bower asked the Administration for suggestions as to what the City could do. The City Manager explained that there is very little the City can do since this is an administrative matter of the hospital, but as a community hospital it is a necessary function in the community. If the Commission chooses to have a discussion item where the hospital administration is invited, perhaps the Commission can impress upon them the importance of ensuring admission to minors to Mt. Sinai Hospital in necessary cases, and try to make them community sensitive.

Commissioner Garcia explained that the City needs some type of pediatric receiving facility and volunteered to be the mediator between Mount Sinai and the Commission, although he concurred with the City Manager that there is little that the City can do since it is a hospital administrative issue. Mayor Dermer stated that if Commissioner Garcia feels strongly about this, to put the item on the Commission agenda for discussion at the next meeting and invite some of the pediatricians and hospital administrators. Commissioner Garcia will contact the Administration at Mount Sinai.

**3. Mike Thompson .** He distributed a booklet to the Commission in reference to the taxi services in Miami Beach. The City historically has had parking problems and needs public transportation. Tourists and residents need friendly transportation. Taxicabs cannot park at meter spaces and there are other restrictions that prohibit parking for cabs. There were between 1,000 and 2,000 tickets issued to cab drivers. Parking spaces for taxicabs have been downsized to approximately 72 spaces in the City. One-seventh of the parking for cabs is in front of Fountainebleau. He does not understand why the City penalizes taxi companies. In conclusion, he suggested that the loading zone be used as an auxiliary cabstand for tourists between the hours of 7:00 a.m. and 7:00 p.m. Mayor Dermer requested that this issue be discussed at the Parking Workshop to be scheduled in late January or early February. Commissioner Steinberg requested this item be referred to the Transportation and Parking Committee.

**Saul Frances to place on Committee agenda.**

**Handout:**

1. Folder City Taxi Services "A Problem and a Solution" by Mike Thompson, included copies of Metropolitan Dade County, Florida Uniform Civil Violation Notices.
2. Speakers' List

**4. Joan Mayers.** She spoke on behalf of the residents of Palm View. Ms. Mayers wants to know why the planting of the trees awarded has not been completed. For some reason, on the north side of 18<sup>th</sup> Street there are no trees planted. She also asked to have a City representative for the neighborhood.

Vice-Mayor Smith requested for the Administration to follow up. Commissioner Bower volunteered to be the contact person. **Kevin Smith to handle.**

**5. Murray Sevoa:** He represents residents of 21 units on 18<sup>th</sup> Street and spoke on the same subject of the trees and neighborhood improvement. Mr. Sevoa wants to find out what is going to happen.

**6. Bea Kalstein:** First of all, she made reference to the amount of people that are operating businesses without a license. Secondly, she suggested that when someone is recommended to a board, that the Commission verify that the individuals are qualified and eligible. Thirdly, she stated that no one should be allowed to apply for bids if they are in debt with the City. She asked the Commission to check on this and asked the Commission to clean house now so they will not be held responsible.

**6:38:50 p.m.**

R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

**ACTION:**

**1. Lennaert vd Beek, Ben Jansen and Jeroen van Zanten.** They represent a growing number of residents that would like to use Flamingo Park for evening soccer activities. They were summoned to leave the park by the police, based on a memo sent by the Parks Department, which states that adult soccer players cannot use the park for soccer. They are unclear as to the reasons why they are prohibited from this activity.

Commissioner Bower suggested that the City Manager refers this item to the Blue Ribbon Park Program and as Parks Liaison she would be happy to resolve the issue.

**2. David Kelsey.** Mr. Kelsey spoke on three issues: 1) that the Commission convenes a Charter Committee to deal with the issue of voting instead of appointments. 2) In order to improve government, abolish group seats, consider district elections and evaluate the possibilities of strong Mayoral issues. 3) He spoke regarding the postponement of the work on Washington Avenue, reduction of tourism, and on the predatory parking practices. He also added that the City needs to be visitor friendly. 4) Mr. Kelsey asked the Commission to commit in keeping the Time Certain schedule on time and complimented the Commission for doing so during the past two meetings.

Commissioner Bower suggested that Parking Cards be sold in restaurants, and be available perhaps via machines on Lincoln Road.

City Clerk's Note: Included in the Handout folder is a letter addressed to the Mayor and City Commission from David Kelsey, dated December 21, 2001, RE: Additions to Memo of December 20, 2001.

R9C Discussion Regarding Allowing Miami Beach Chamber Of Commerce Employees To Purchase Parking Permits For The Preferred Lot At A 50% Discount.  
(Requested By Commissioner Simon Cruz)  
(Deferred From November 28, 2001)

**ACTION: Item not reached.**

R9D Discussion Regarding City Pension Fund For Firefighters And Police Officers.  
(Requested By Commissioner Luis R. Garcia, Jr.)

**ACTION: Withdrawn by Commissioner Garcia because the Administration was able to resolve this issue.**

**4:45:27 p.m.**

R9E Discussion Regarding A Resolution Urging City Administration To Expediently Resolve The Matter Of Polo Park With Miami-Dade County Public Schools.

(Requested By Commissioner Matti Herrera Bower & Vice-Mayor Jose Smith)

**ACTION: Discussion held. Resolution No. 2001-24698 adopted.** Motion made by Vice-Mayor Smith; seconded by Commissioner Bower; Voice vote 6-0; Absent: Commissioner Garcia.

Jorge Gonzalez, City Manager, stated that himself, Commissioner Bower, Merrett Stierheim, Superintendent of Miami-Dade County Schools, and Peter De La Horra, Miami-Dade County Schools are scheduled to meet on Thursday, December 20 at Polo Park to discuss.

**4:44:15 p.m.**

R9F Discussion Regarding Traffic Problems On La Gorce/Pinetree.

(Requested By Commissioner Luis R. Garcia, Jr.)

**ACTION:** Commissioner Garcia complimented the City Manager and stated that the City Manager has taken great steps to accommodate the residents and has taken the steps to mitigate the dangers to our citizens.

R9G Discussion Regarding Setting Up A Date For A Parking Workshop.  
(Requested By Mayor David Dermer)

**ACTION: Commission Workshop to be scheduled in late January or early February.**

City Clerk's note: Set for February 11, 2002 at 2:00 p.m.

**Addendum item:**

R9H Discussion Regarding Increasing Residential Parking in South Beach.  
(Requested by Commissioner Richard L. Steinberg)

**ACTION:** Commissioner Steinberg stated that item R9H can be discussed at the Parking Commission Workshop to be scheduled.

**Reports and Informational Items**

A City Attorney's Status Report.  
(City Attorney's Office)

**ACTION: Written report submitted.**

B Parking Status Report.  
(Parking Department)

**ACTION: Written report submitted.**

C Status Report On Fire Station No. 2 Rehabilitation And Building Addition.  
(Capital Improvement Projects)

**ACTION: Written report submitted.**

D Status Report On The General Obligation Bond Funded Project For The Rehabilitation Of Fire Station No. 4.  
(Capital Improvement Projects)

**ACTION: Written report submitted.**

E Informational Report To The Mayor And City Commission, On All Existing City Contracts For Renewal Or Extensions In The Next 180 Days, Which By Their Terms Or Pursuant To Change Orders Exceed \$25,000.  
(Procurement)

**ACTION: Written report submitted.**

- F Status Report on the Collins Park Cultural Center.  
(City Manager's Office)

**ACTION: Written report submitted.**

**End of Regular Agenda**

**Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
December 19, 2001**

Chairman of the Board David Dermer  
Member of the Board Matti Herrera Bower  
Member of the Board Simon Cruz  
Member of the Board Luis R. Garcia, Jr.  
Member of the Board Saul Gross  
Member of the Board Jose Smith  
Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez  
Assistant Director Christina M. Cuervo  
Assistant Director Mayra Diaz Buttacavoli  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL
2. OLD BUSINESS

**11:00:42 a.m.**

- A Report of the Itemized Revenues and Expenditures of the Miami Beach Redevelopment Agency for the Months Ended October 31, 2001.  
**(Submitted Under Separate Cover)**

**Action: Written report submitted.** Commissioner Gross requested a simpler reporting format that is easier to read than the current report. Commissioner Gross and Christina Cuervo to meet to consider a new format.

**11:04:11 a.m.**

- B Anchor Shops And Parking Garage - Monthly Report On Parking Operations, Month Of October 31, 2001.

**Action: Written report submitted.**

**11:04:29 a.m.**

3. NEW BUSINESS

- A A Resolution By The Chairman And Members Of The Redevelopment Agency Consenting To

An Assignment Of Lease From Budget Reservation Service Corporation To Vacation Tours Of South Beach, Inc., In Connection With Suite "J" In The Anchors Shops At South Beach.

**Action: Resolution No. 404-2001 adopted.** Motion made by Vice-Mayor Smith; seconded by Commissioner Bower; Voice vote: 6-0; Absent: Commissioner Cruz. Christina Cuervo to handle.

**End of RDA Agenda**

Meeting adjourned at 6:48:49 p.m.